

Heckenstein

Eliezer Drew (ED0625)
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

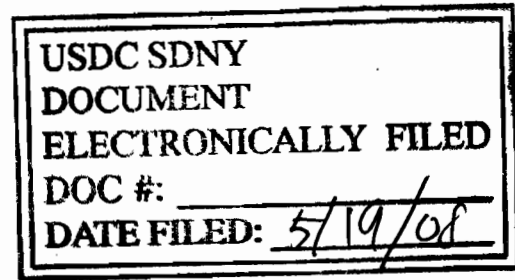
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ALPHA CAPITAL ANSTALT,

Plaintiffs,

- against -

NESS ENERGY INTERNATIONAL, INC.

Defendant.
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Index No.: 07 Civ. 9242(AKH)

**ORDER TO SHOW CAUSE
FOR AN ORDER TO TURN
OVER ASSETS PURSUANT
TO RULE 69**

Upon the declaration of Eliezer Drew affirmed to the 4th day of April and upon the copy of the judgment hereto annexed, it is

ORDERED, that the above named defendant show cause before a motion term of this Court, at Room United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on 5/28, 2008 at 3⁰⁰ o'clock in the pm noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 69 of the Federal Rules of Civil Procedure ordering the defendant turn over to the plaintiff the stock certificates representing the defendant's entire ownership interests of Ness Energy of Israel, Inc., and it is further

ORDERED that service by email to Alan Stricklin, Chief Executive Officer of the defendant at alan@txoilgas.com with a copy by USPS Express Mail to the defendant's address PO Box 161638, Fort Worth, Texas 76161, of a copy of this order the annexed affirmation and

✓ memorandum of law upon the defendant or his counsel on or before noon o'clock in the

noon, 5/20, 2008, shall be deemed good and sufficient service thereof.

Further ordered:

DATED: New York, New York
May 19, 2008

12:00 pm



Hon. Alvin K Hellerstein
United States District Judge

AKH

1. Pl. shall show, by competent aff 't ad brief, on or before noon, 5/21/08, the precise establishment of plaintiff under the laws of Liechtenstein ad whether or not, under such laws, it has a legal capacity distinct from its owners, managers, fiduciaries ad beneficiaries.

2. Any and all opposition papers by def 't shall be filed and served by noon, 5/27/08.

AKH